



IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION

TULLIS WORLDWIDE PROTECTION, )  
                                    )  
Plaintiff,                     )  
                                    )  
v.                                 )  
                                    )  
JERRY ROBERTO HOOKS          )  
                                    )  
and                                 )  
                                    )  
PATRICK PAUL MILLER,         )  
                                    )  
Defendants.                     )  
\_\_\_\_\_  
                                    )

Case No. 1:12cv1508 GBL/TRJ

**NOTICE OF REMOVAL**

Defendants Jerry Roberto Hooks and Patrick Paul Miller ("Defendants"), by counsel, pursuant to 28 U.S.C. §§ 1332, 1441 and 1446, hereby remove this action from the Circuit Court of Fairfax County, Virginia ("the State Court") to the United States District Court for the Eastern District of Virginia, Alexandria Division, and as grounds therefore state as follows:

1. Plaintiff Tullis Worldwide Protection ("Tullis") initiated this civil action when it filed a Complaint ("Complaint") in the State Court in a case styled as *Tullis Worldwide Protection v. Jerry Roberto Hooks and Patrick Paul Miller*, Case No. CL-2012-000-17066.

2. In the Complaint, Tullis alleges that Defendants provided security services to a client of Tullis in breach of a Non-Compete/Non-Disclosure Agreement ("Agreement") between Defendant Miller and Tullis. Tullis alleges claims of breach of contract against Defendant Miller and tortious interference with business relations and business expectancy

against Defendant Hooks, as well as a claim for a declaratory judgment that the restrictive covenants set forth in the Agreement are valid.

3. At the time of the commencement of this civil action, Defendant Hooks was, and still is, an individual residing in the State of Florida. Defendant Miller was, and still is, an individual residing in the State of Illinois. Therefore, Defendants are deemed to be citizens of the States of Florida and Illinois, respectively.

4. Tullis alleges in the Complaint that it is a corporation organized and existing under the laws of the Commonwealth of Virginia, that regularly conducts business within the Commonwealth of Virginia. Therefore, Tullis is deemed to be a citizen of the Commonwealth of Virginia. 28 U.S.C. § 1332(c)(1).

5. Defendants and Tullis are citizens of different states, and complete diversity of citizenship exists among the parties. 28 U.S.C. § 1332(a)(1).

6. In the Complaint, Tullis seeks damages for Counts I and II in the amount of \$500,000.00 for each Count.

7. Based upon the allegations on the face of the Complaint, if Tullis were successful on all of its claims, its damages would far exceed the requisite amount in controversy of \$75,000.00 required for federal jurisdiction.

8. Defendant Hooks was served with the Summons and Complaint by private process server on November 30, 2012, as reflected on the attached Summons and Complaint. Defendant Miller was served with the Summons and Complaint by private process server on December 3, 2012, as reflected on the attached Summons and Complaint. This Notice of Removal is therefore timely filed within 30 days after Defendants were served. 28 U.S.C. § 1446(b).

9. Because this civil action is between citizens of different states and because the amount in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs, this Court has original jurisdiction over this civil action pursuant to 28 U.S.C. § 1332, and this civil action is properly removable pursuant to 28 U.S.C. § 1441.

10. Defendants have not previously sought similar relief in this civil action.

11. The prerequisites for removal under 28 U.S.C. §§ 1332, 1441 and 1446 have been met.

12. Attached collectively hereto as **Exhibits A and B** and made a part hereof, are copies of all of the State Court pleadings and process served upon Defendants.

13. A Notice of Filing of Notice of Removal (to which a copy of this Notice of Removal has been attached) has been filed with the Clerk of the Circuit Court for Fairfax County, Virginia. Defendant will also promptly give Tullis written notice of the filing of this Notice of Removal. 28 U.S.C. § 1446(d).

WHEREFORE, Defendants Jerry Roberto Hooks and Patrick Paul Miller hereby request that this civil action be removed to this Court.

JERRY ROBERTO HOOKS and  
PATRICK PAUL MILLER

By   
\_\_\_\_\_  
Of Counsel

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*Counsel for Defendants*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 27th day of December, 2012, a true copy of the foregoing Notice of Removal was sent via Federal Express to the following:

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